

**IN THE UNITED STATES PATENT OFFICE**

Applicants: Jue-Chen Liu, et al.

Serial No.: (Continuation of 09/361,426) Art Unit: 1619

Filed: July 27, 1999 Examiner: S. Sharareh

For: COMPOSITIONS TO ENHANCE PERMEATION OF TOPICAL SKIN AGENTS

Commissioner of Patents  
Washington, D.C. 20231

**PRELIMINARY AMENDMENT**

Dear Sir:

This Preliminary Amendment is respectfully submitted in connection with the filing of the continuation of patent application of Serial No. 09/361,426. Serial No. 09/361,426 continues to pend on the basis of a Petition for Extension of Time filed in said copending patent application, a copy of which is attached hereto. Kindly amend the above-identified patent application as follows:

**IN THE SPECIFICATION:**

At page 1, line 1, kindly insert the following:

--This patent application is a continuation application of United States Serial No. 09/361,426, filed July 27, 1999, and of Provisional patent application Serial No. 60/104,060 filed October 13, 1998, which are hereby incorporated by reference herein.—

Kindly cancel claims 1-23 without prejudice.

Kindly add the following claims:

27. A method of enhancing the penetration of a lipophilic compound into the skin of a mammal comprising the steps of providing a composition comprising

- a. a topically active amount of a lipophilic compound;
- b. from about 0.01% to about 20% of a sugar;
- c. from about 0.01% to about 20% of an acrylate/C10-C30 alkyl acrylate cross-polymer; and
- d. from about 0.01% to about 20% of a polyoxyethylene alcohol; and

applying said composition to the skin.

28. A method according to claim 32 wherein said composition consists essentially of:

- a. a topically active amount of a retinoid;
- b. from about 0.01% to about 20% of ascorbic acid-2-glucoside;
- c. from about 0.01% to about 20% of an acrylate/C10-C30 alkyl acrylate cross-polymer; and
- d. from about 0.01% to about 20% of a polyoxyethylene alcohol.

33. A method according to claim 32 comprising providing a composition consisting essentially of:

- a. a retinoid;
- b. ascorbic acid-2-glucoside;
- c. acrylate/C10-C30 alkyl acrylate cross-polymer; and
- d. a polyoxyalkylene alcohol; and

applying said composition to the skin.

#### REMARKS

This Preliminary Amendment is respectfully submitted in conjunction with the filing of the above-identified divisional application of 09/361,426. The Specification has been amended in order to refer to the parent application and to incorporate its subject matter by reference.

Claims 1-23 have been canceled without prejudice as they refer to compositions claimed in parent application Serial No. 09/361,426. Claims 27-33 have been added in order to define additional embodiments of the method of applicants' invention. Claims 27-33 find basis in the Specification at p. 2, l. 22-28, p. 3, l. 14 through p. 5, l. 4, p. 6, l. 23-26 and in Example 1 at p. 9, l. 4 through p. 17, l.2.

In view of the foregoing discussion, applicants respectfully request consideration of the claims. An early allowance is earnestly solicited.

Respectfully submitted,

  
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